

The Honorable Robert S. Lasnik

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Plaintiff the United States of America (“United States”), Defendants King County and State of Washington Department of Revenue (“State of Washington”), by and through their undersigned counsel, and Defendant James J. Jackson, III, *pro se*, hereby stipulate as follows:

1. The United States commenced this action by filing a complaint on July 20, 2018.

Dkt. # 1.

2. On August 17, 2018, the United States and Mr. Jackson filed a Stipulation for

Extension of Time to Answer or Otherwise Respond to Complaint ("Stipulation") requesting a

thirty (30) day extension of time, Dkt. # 6. The extension was sought to allow Mr. Jackson

additional time to obtain information from his prior attorney in order to meaningfully respond to the complaint.

3. On September 4, 2018, the Court approved the Stipulation and extended Mr. Jackson's deadline to answer or otherwise respond to the complaint by thirty (30) days from August 22, 2018 to September 21, 2018. Dkt. # 13.

4. On September 5, 2018, the Court issued an Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement (“Initial Scheduling Order”) setting the following Initial Scheduling Dates:

Deadline for FRCP 26(f) Conference: September 19, 2018

Initial Disclosures Pursuant to FRCP 26(a)(1): September 26, 2018

Combined Joint Status Report and Discovery
Plan as Required by FRCP 26(f) and LCR 26(f): October 3, 2018

Dkt. # 15.

5. Mr. Jackson is in the process of obtaining counsel to represent him in this matter and requests a thirty (30) day extension of time to answer or otherwise respond to the complaint. The United States, King County, and the State of Washington have no objection to this request for extension of time. In light of Mr. Jackson's request, all the parties request a thirty (30) day extension of time on the above Initial Scheduling Dates.

6. Fed. R. Civ. P. 6(b)(1) authorizes this court to grant an extension of time to respond to a complaint for good cause shown. As the Ninth Circuit has recognized, Fed. R. Civ. P. 6(b)(1) "is to be liberally construed to effectuate the general purpose of seeing that cases are tried on the merits." *Ahanchian v. Xenon Pictures, Inc.*, 624 F.3d 1253, 1258-1259 (9th Cir. 2010). Additionally, under Fed. R. Civ. P. 6(b)(1), the Court may also extend discovery and pretrial deadlines for good cause upon motion made before the deadline has expired or after the

1 time has expired if the party failed to act because of excusable neglect.

2 7. In the instant case, on September 19, 2018, in response to the United States'
3 request to schedule a FRCP 26(f) Conference, Mr. Jackson informed the United States, King
4 County, and the State of Washington that he is in the process of obtaining counsel. The parties
5 worked diligently to reach the instant stipulation; however, due to the unavailability of counsel,
6 the parties were not able to reach the instant stipulation until today.

7 8. The extensions requested in this stipulation are necessary not because of any
8 dilatory action or unnecessary delay, but rather to allow time for Mr. Jackson to obtain counsel to
9 represent him in this matter.

10 WHEREFORE, for good cause shown, the parties respectfully request that the Court
11 approve this stipulation and extend the following deadlines by thirty (30) days as follows:

Deliverable	Current Deadline	New Deadline
Deadline for FRCP 26(f) Conference	September 19, 2018	October 19, 2018
Mr. Jackson's Answer or Response to Complaint	September 21, 2018	October 22, 2018 ¹
Initial Disclosures Pursuant to FRCP 26(a)(1)	September 26, 2018	October 26, 2018
Combined Joint Status Report and Discovery Plan as Required by FRCP 26(f) and LCR 26(f):	October 3, 2018	November 11, 2018

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23 24 ¹ The deadline is extended to the next day that is not a Saturday, Sunday, or legal holiday
pursuant to Fed. R. Civ. P. 6(a)(1)(C).

1 DATED this 21st day of September, 2018.

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15 U.S. Attorney, Western District of
16 Washington

17 *Attorneys for the United States of America*

18 DATED this ____ day of September, 2018.

19 See next page

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25 *Pro Se*

1 DATED this 20th day of September, 2018.

2 DANIEL T. SATTERBERG
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15 DATED this 20th day of September, 2018.

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26 **ORDER**

27 The foregoing Stipulation for Extension of Time to Answer or Otherwise Respond to
28 Complaint is APPROVED. IT IS SO ORDERED.

29 Dated this 24th day of September, 2018.



30 UNITED STATES DISTRICT JUDGE